



Response under 37 C.F.R. 1.116
- Expedited Examining Procedure -
Examining Group 1752

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bryan V. Hunt, et al

PHOTOTHERMOGRAPHIC
MATERIALS WITH IMPROVED
IMAGE TONE

Serial No. 10/686,806

Filed 16 October 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

Group Art Unit: 1752

Examiner: Chea, Thorl

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Sherryl A. Payne
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Date *8/16/2005*

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. 1.116

In response to the Office Action dated June 28, 2005, Applicants respectfully request reconsideration of the "final" rejection of the claims of the present application. The claims of this application have been rejected under several provisions of the Patent Statute. More specifically:

I. In paragraph 2 of the Office Action, Claims 1 and 4-12 have been rejected under 35 U.S.C. §112(1) as failing to comply with the written description requirement.

II. & III. In paragraph 5, Claims 1, 4-9, and 11 are rejected as either anticipated under 35 U.S.C. §102(b) by U.S. Patent 5,698,380 (Toya) or unpatentable under 35 U.S.C. §103(a) in view of Toya.

IV. In paragraph 6, Claims 10 and 12 have been rejected as unpatentable over Toya in view of U.S. Patents 5,705,324 (Murray) and 5,172,419 (Manian).